CERTIFICATE OF SERVICE

I, Christopher P. Simon, hereby certify that on this 6th day of October, 2005, I caused copies of the **Stipulation of Dismissal of Appeal** to be served upon the attached service list in the manner indicated.

Via First Class U.S. Mail

Jesse H. Austin, III Karol K. Denniston Paul, Hastings, Janofsky & Walker, LLP 600 Peachtree Street, Suite 2400 Atlanta, GA 30308

Alan W. Kornberg
Ephraim I. Diamond
Talia Gil
Paul, Weiss, Rifkind, Wharton &
Garrison, LLP
1285 Avenue of the Americas
New York, NY 10019

The Honorable Louis C. Bechtle Conrad, O'Brien, Gellman & Rohn, P.C. 1515 Market Street, 16th Floor Philadelphia, PA 19102-1916

Via Hand Delivery

Scott D. Cousins William E. Chipman, Jr. Greenberg Traurig, LLP 1000 West Street, Suite 1540 Wilmington, DE 19801

Mark Kenney U.S. Trustee 844 King Street, Room 2207 Lockbox #35 Wilmington, DE 19899

David B. Stratton Pepper Hamilton, LLP 1313 Market Street, Suite 5100 Wilmington, DE 19801

Neil Glassman Charlene D. Davis Eric Sutty The Bayard Firm 222 Delaware Avenue, Suite 900 Wilmington, DE 19801

/s/ Christopher P. Simon

Christopher P. Simon (No. 3697)